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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,288	07/25/2006	Valerie Sacrez Liebhold	PU040015	6945
24498 7590 01/25/2008 THOMSON LICENSING LLC Two Independence Way Suite 200 PRINCETON, NJ 08540			EXAMINER TRAN, TRANG U	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 01/25/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/587,288

**Applicant(s)**

LIEBHOLD, VALERIE SACREZ

**Examiner**

Trang U. Tran

**Art Unit**

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>07/25/2006</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duffield et al. (US Patent No. 5,398,074) in view of Park et al. (US Patent No. 6,590,618 B1).

In considering claim 1, Duffield et al discloses all the claimed subject matter, note 1) the claimed a display control for displaying television signals from first and second tuners on respective first and second window is met by the channel selection 82 (Fig. 8, col. 6, lines 40-58), and 2) the claimed a processor for receiving control signals and for instructing the tuners to change channels on the respective windows, wherein upon receiving a first control signal, if the first window is not displayed, the processor displays the first window, and if the first window is displayed when the first control signal is received, the processor selects a window not currently selected for channel changing, wherein a channel displayed in the selected window is changed according to a channel changing control signal received by the television apparatus is met by the remote controller 92 and the channel selection 82 (Fig. 8, col. 4, line 18 to col. 7, line 35).

However, Duffield et al explicitly do not disclose the claimed selects the first window for channel changing.

Park et al teach that the remote controller which changing the channel and/or the volume level of the sub-picture and the main picture in a television having a multiple screen mode functions (col. 3, line 10 to col. 4, line 58).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the changing channel as taught by Part et al into Duffield et al's system in order to provide a method and an apparatus for changing the channel or varying the volume of a television receiver.

In considering claim 2, the claimed wherein the processor instructs the display control to highlight the selected window is met by the selected channel 25 which visibly distinguished from the channels by an extra border line 62 in the small image (col. 5, line 43 to col. 6, line 39 of Duffield et al).

In considering claim 3, the claimed wherein the first window is a picture-in-picture window is met by the PIP (Figs. 1 and 2, col. 3, lines 38-58 of Duffield et al).

Claims 4-7 are directed to generate the channel changing control signal by activating picture-in-picture key, channel-up key, number key and go-back key on the remote control is met by the remote controller 92 (whole document of Duffield et al) or the remote controller 20 (Fig. 3B of Park et al).

In considering claim 8, the claimed wherein the processor selects a window other than the selected window upon receiving a second occurrence of the first control signal is met by the channel selection 82 (Fig. 8, col. 6, lines 40-58 of Duffield et al).

In considering claim 9, the claimed wherein further comprising a display for displaying the windows is met by the PIP (Figs. 1 and 2, col. 3, lines 38-58 of Duffield et

al).

In considering claim 10, the claimed wherein the windows are picture-and-picture window is met by the PIP (Figs. 1 and 2, col. 3, lines 38-58 of Duffield et al).

In considering claim 11, the claimed wherein one of the windows is a picture-outside-picture window is met by the POP (Figs. 1 and 2, col. 3, lines 38-58 of Duffield et al).

Claims 12-15 are rejected for the same reason as discussed in claims 1-4, respectively.

Claim 16 is rejected for the same reason as discussed in claim 8.

Claims 17-19 are rejected for the same reason as discussed in claims 5-7, respectively.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Takagi et al. (US Patent No. 7,281,259 B2) disclose channel selection device for use in a digital/analog broadcasting receiver for reception of main and sub channels.

Cohen-Solal (US Patent No. 7,206,029 B2) discloses picture-in-picture repositioning and/or resizing based on video content analysis.


Shibamiya (US Patent No. 6,795,130 B2) discloses signal receiving apparatus, remote controller, signal receiving system, and apparatus to be controlled.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (571) 272-7358. The examiner can normally be reached on 8:00 AM - 5:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 22, 2008



Trang U. Tran  
Primary Examiner  
Art Unit 2622